

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                ) 4:05CR3060  
v.                            )  
                                )  
OCTAVIO DELVILLAR and     )  
FERNANDO NUNEZ,            )  
                                ) ORDER  
Defendants.                )  
                                )

---

IT IS ORDERED:

Defendant Nunez's motion to continue trial, filing 41, is granted, and

1. Trial as to both defendants is continued to 9:00 a.m., March 27, 2006, before the Honorable Richard G. Kopf in Courtroom 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. Jury selection will be held at commencement of trial.

2. The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendants in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between February 14, 2006 and March 27, 2006 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice.  
18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 14<sup>th</sup> day of February, 2006.

BY THE COURT:

s/ *David L. Piester*  
David L. Piester  
United States Magistrate Judge